

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GARRY BUSBOOM, an individual;

Plaintiff,

vs.

MORTON BUILDINGS, INC., an Illinois corporation;

Defendant.

4:24CV3085

**FIRST AMENDED FINAL
PROGRESSION ORDER**

This matter is before the court on the parties' Joint Stipulation to Amend Progression Deadlines. ([Filing No. 29](#)). The stipulation is granted. Accordingly, the deadlines are amended as follows:

1. The trial and pretrial conference will not be set at this time. A planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **May 12, 2025**, at **10:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference. ([Filing No. 20](#)).
2. The deadline for Plaintiff to file its Amended Complaint is: **April 11, 2025**.

3. The deadline for Defendant to Answer Plaintiff's Amended Complaint is: **April 25, 2025**.
4. The deadline for serving supplemental mandatory disclosures under Rule 26(a)(1) is: **May 14, 2025**.
5. The deadline for completing written discovery under Rules 33, 34, 36, and 45 of the Federal Rules of Civil Procedure is **June 16, 2025**. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by **July 16, 2025**.
6. The deadline for identifying expert witnesses expected to testify at the trial, (both retained experts, (Fed. R. Civ. P. 26(a)(2)(B)), and non-retained experts, (Fed. R. Civ. P. 26(a)(2)(C)), are:

For the plaintiff/counter defendant: **April 15, 2025**

For the defendant/counter claimant: **June 16, 2025**

7. The deadlines for completing expert disclosures for all experts expected to testify at trial, (both retained experts, (Fed. R. Civ. P. 26(a)(2)(B)), and non-retained experts, (Fed. R. Civ. P. 26(a)(2)(C)), are:

For the plaintiff/counter defendant: **May 30, 2025**

For the defendant/counter claimant: **July 31, 2025**

8. The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is **August 15, 2025**. The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is **six (6)**.
9. The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **September 30, 2025**.
10. The deadline for filing motions to dismiss and motions for summary judgment is **September 30, 2025**.

11. The Parties shall mediate the dispute on or before **September 1, 2025**.
12. The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
13. All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 9th day of April, 2025.

BY THE COURT:

s/ Ryan C. Carson
United States Magistrate Judge